



**The Comptroller General  
of the United States**

Washington, D.C. 20548

## **Decision**

**Matter of:** Doron Precision Systems, Inc.--Request for  
Reconsideration  
**File:** B-232505.2  
**Date:** October 11, 1988

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### **DIGEST**

Protest filed more than 10 working days after protester knew or should have known the basis for its protest, cancellation of a solicitation, is untimely.

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### **DECISION**

Doron Precision Systems, Inc. requests that we reconsider our dismissal of its protest of the cancellation of request for proposals (RFP) No. M67004-88-R-0137, issued by the Army. We dismissed the protest because Doron did not file in a timely manner.

Under our Bid Protest Regulations, 4 C.F.R. § 21.2(a)(2) (1988), protests must be filed not later than 10 working days after the basis for protest is known or should have been known. The Army canceled the solicitation on June 24, 1988, and so advised the protester on June 27. Doron filed its protest with this Office on September 6, 1988, more than two months later. Accordingly, Doron's protest was dismissed as untimely.

In its request for reconsideration, the protester argues that it was advised that it had 90 days from the day it received a final decision from the contracting officer to appeal to the Armed Services Board of Contract Appeals (ASBCA). However, the filing requirements of the ASBCA are unrelated to the filing deadlines of the General Accounting Office, which are contained in our Bid Protest Regulations. Because of the expeditious nature of our Office's proceedings, these timeliness standards are strictly construed. Moreover, since our regulations are published in the Federal Register, protesters are charged with constructive notice of their content. Amertech Industries, Inc., B-229498, Nov. 9, 1987, 87-2 CPD ¶ 469.

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Doron has also requested proposal preparation costs. However, we will not consider a claim for proposal preparation costs which is submitted in connection with an untimely protest. Gudenau and Co., Inc., B-226081, Feb. 2, 1987, 87-1 CPD ¶ 106.

The request for reconsideration is denied.

*for Seymour E. Hinchman*  
James F. Hinchman  
General Counsel